

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 8, 2011

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JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 8, 2011

The Senate met in regular session at 9:03 a.m., President Kibbie presiding.

Prayer was offered by Pastor Dennis Morey of the First Presbyterian Church in Oskaloosa, Iowa. He was the guest of Senator Rielly.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maria Lewis.

The Journal of Monday, February 7, 2011, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Rod Roberts, the governor's appointee to be the Director of the Department of Inspections and Appeals. He was the guest of Senator Soddors and the committee on State Government.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:08 a.m. until 9:00 a.m., Wednesday, February 9, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gladys Barz, Waterloo—For celebrating her 90th birthday. Senator Dotzler (2/8/11).

Esther and Bill McGuire, Waterloo—For celebrating their 45th wedding anniversary. Senator Dotzler (2/8/11).

Clarence and Doris Ostdahl, Evansdale—For celebrating their 60th wedding anniversary. Senator Dotzler (2/8/11).

Rosemary Penning, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/8/11).

Dixie Posey, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/8/11).

Lois Reicherts, Waterloo—For celebrating her 80th birthday. Senator Dotzler (2/8/11).

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, February 8, 2011, 2:05 p.m.

Members Present: Soddors, Chair; Dotzler, Vice Chair; Bacon, Bertrand, Chelgren, Dandekar, Danielson, Hatch, Horn, Ward, Whitver, and Wilhelm.

Members Absent: Greiner, Ranking Member; Bowman and Rielly (all excused).

Committee Business: None.

Adjourned: 2:10 p.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, February 8, 2011, 10:05 a.m.

Members Present: Courtney, Chair; Soddors, Vice Chair; Sorenson, Ranking Member; Greiner and Kibbie.

Members Absent: None.

Committee Business: Discussed the Iowa Lottery.

Adjourned: 11:20 a.m.

HUMAN RESOURCES

Convened: Monday, February 7, 2011, 5:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Seymour, Ranking Member; Bacon, Boettger, Bolkcom, Dotzler, Dvorsky, Hatch, Jochum, Johnson, Quirmbach, and Whitver.

Members Absent: None.

Committee Business: Passed [SF 32](#). Approved [SSB 1080](#), as amended.

Adjourned: 5:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 8, 2011, 2:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Hahn, Ranking Member; Behn, Bolkcom, Hancock, Hogg, Kapucian, Ragan, Schoenjahn, Seng, and Sorenson.

Members Absent: Hamerlinck (excused).

Committee Business: Approved [SSB 1079](#), as amended. Presentation by the Fisheries Bureau.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: Wednesday, February 7, 2011, 5:00 p.m.

Members Present: Rielly, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; Beall, Dandekar, Danielson, Dearden, Ernst, Hahn, Hancock, Houser, McCoy, and Zaun.

Members Absent: None.

Committee Business: Approved [SSB 1032](#).

Adjourned: 5:15 p.m.

WAYS AND MEANS

Convened: Tuesday, February 8, 2011, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Zaun, Ranking Member; Anderson, Bartz, Chelgren, Dandekar, Dotzler, Feenstra, Hogg, Jochum, McCoy, Quirmbach, and Smith.

Members Absent: Black (excused).

Committee Business: Presentations by the Department of Economic Development, Kirkwood Community College, and Hawkeye Community College.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 8, 2011, 10:05 a.m.

Members Present: Jochum, Chair; Danielson, Vice Chair; Bartz, Ranking Member; Bowman and Ernst.

Members Absent: None.

Committee Business: Presentations on the Rebuild Iowa Office, drug abuse, and ethics.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 8, 2011, 10:10 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Houser, Ranking Member; Hahn and Wilhelm.

Members Absent: None.

Committee Business: Presentation by the Department of Agriculture and Land Stewardship.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, January 25, 2011, 10:10 a.m.

Members Present: Dotzler, Chair; Dandekar, Vice Chair; Boettger, Ranking Member; Bertrand and Seng.

Members Absent: None.

Committee Business: Discussion with Iowa Workforce Development.

Adjourned: 11:55 a.m.

ALSO:

Convened: Wednesday, January 26, 2011, 10:10 a.m.

Members Present: Dotzler, Chair; Dandekar, Vice Chair; Boettger, Ranking Member; Bertrand and Seng.

Members Absent: None.

Committee Business: Presentations by the Des Moines Area Community College Economic Development Program and the World Food Prize.

Adjourned: 11:00 a.m.

ALSO:

Convened: Tuesday, February 1, 2011, 10:00 a.m.

Members Present: Dotzler, Chair; Dandekar, Vice Chair; Boettger, Ranking Member; Bertrand and Seng.

Members Absent: None.

Committee Business: LSA overview of governor's budget recommendations.

Adjourned: 10:45 a.m.

ALSO:

Convened: Wednesday, February 2, 2011, 10:00 a.m.

Members Present: Dotzler, Chair; Dandekar, Vice Chair; Boettger, Ranking Member; Bertrand and Seng.

Members Absent: None.

Committee Business: Presentation on the University of Northern Iowa Economic Development Program.

Adjourned: 11:20 a.m.

ALSO:

Convened: Thursday, February 3, 2011, 10:10 a.m.

Members Present: Dotzler, Chair; Dandekar, Vice Chair; Boettger, Ranking Member; Bertrand and Seng.

Members Absent: None.

Committee Business: Presentation on the Iowa State University Economic Development Program.

Adjourned: 11:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 8, 2011, 10:05 a.m.

Members Present: Schoenjahn, Chair; Quirmbach, Vice Chair; Dix, Ranking Member; and Horn.

Members Absent: Hamerlinck (excused).

Committee Business: Presentations by Early Childhood Iowa and the Department of Early Childhood Services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 8, 2011, 10:10 a.m.

Members Present: Hancock, Chair; Hogg, Vice Chair; Fraise and Smith.

Members Absent: Seymour, Ranking Member (excused).

Committee Business: Trip to the Department of Corrections Central Pharmacy.

Adjourned: 10:15 a.m.

INTRODUCTION OF BILLS

[Senate File 168](#), by Chelgren, a bill for an act repealing the option of voting straight party and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 169](#), by Schoenjahn, a bill for an act relating to the family farm property tax credit by providing for eligible entities and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 170](#), by McKinley, a bill for an act establishing a deregulated schools pilot program for certain public and nonpublic schools.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 171](#), by McKinley, a bill for an act suspending certain financial mandates and restrictions for school districts for certain school budget years and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 172](#), by McKinley, Zaun, Boettger, Bacon, Johnson, Chelgren, Houser, and Whitver, a bill for an act authorizing a school district to adopt a mandatory uniform policy.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 173](#), by McKinley, a bill for an act providing for a special education alternative reading instruction pilot program and including a contingency clause and effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 174](#), by McKinley, a bill for an act relating to certain reporting requirements required of school districts, accredited nonpublic schools, and community colleges.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 175](#), by committee on Human Resources, a bill for an act extending the repeal date for the prevention of disabilities policy council.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 176](#), by Feenstra, a bill for an act relating to state student assistance for students enrolled in certain postsecondary institutions.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 177](#), by committee on Judiciary, a bill for an act relating to the director of the Iowa law enforcement academy and the membership of the Iowa law enforcement academy council and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 178](#), by Soddors, Danielson, Dotzler, Seng, Hancock, Schoenjahn, McCoy, Horn, Dearden, Hatch, Courtney, Gronstal, Kibbie, Black, Quirmbach, Beall, Ragan, Wilhelm, Jochum, and Dandekar, a bill for an act relating to community development by allocating tax credits for redevelopment of brownfields and grayfields and by making an appropriation for certain community partnership programs designed to support community beautification projects.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

[Senate File 179](#), by Wilhelm, Danielson, Rielly, Bowman, Bolkcom, Dotzler, Jochum, Courtney, Ragan, Schoenjahn, Hancock, Seng, Beall, Soddors, Hogg, Black, Kibbie, Horn, Dandekar, Hatch, Gronstal, and McCoy, a bill for an act creating the red tape commission.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 180](#), by Feenstra, a bill for an act prohibiting school districts and area education agencies from making teacher payroll deductions for membership dues for employment organizations or labor unions and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

STUDY BILLS RECEIVED

[SSB 1095](#) Human Resources

Relating to inclusion of dental hygienists as approved providers under managed care or prepaid services contracts under the Medicaid program.

[SSB 1096](#) Human Resources

Relating to community mental health centers.

[SSB 1097](#) Commerce

Relating to the scope of duty of an insurance producer in procuring insurance for a client.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 138](#)

VETERANS AFFAIRS: Kibbie, Chair; Horn and Seymour

[Senate File 148](#)

HUMAN RESOURCES: Bolckcom, Chair; Seymour and Wilhelm

[Senate File 151](#)

EDUCATION: Dvorsky, Chair; Beall and Johnson

[Senate File 152](#)

HUMAN RESOURCES: Wilhelm, Chair; Boettger and Dvorsky

[Senate File 153](#)

EDUCATION: Bowman, Chair; Beall and Feenstra

[Senate File 154](#)

HUMAN RESOURCES: Quirnbach, Chair; Bacon and Ragan

[Senate File 159](#)

EDUCATION: Dvorsky, Chair; Hamerlinck and Hogg

[Senate File 160](#)

EDUCATION: Dvorsky, Chair; Feenstra and Hogg

[Senate File 161](#)

ECONOMIC GROWTH/REBUILD IOWA: Sodders, Chair; Bowman and Chelgren

[Senate File 162](#)

JUDICIARY: Fraise, Chair; Dvorsky and Sorenson

[Senate File 165](#)

JUDICIARY: Hancock, Chair; Horn and Ward

[House File 45](#)

APPROPRIATIONS: Danielson, Chair; Dvorsky and Kettering

[House File 111](#)

HUMAN RESOURCES: Hatch, Chair; Bolkcom and Seymour

[SSB 1095](#)

HUMAN RESOURCES: Dvorsky, Chair; Jochum and Johnson

[SSB 1096](#)

HUMAN RESOURCES: Dvorsky, Chair; Seymour and Wilhelm

[SSB 1097](#)

COMMERCE: McCoy, Chair; Anderson and Rielly

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 175](#) (formerly [SF 32](#)), a bill for an act extending the repeal date for the prevention of disabilities policy council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Seymour, Bacon, Boettger, Bolkcom, Dotzler, Dvorsky, Hatch, Jochum, Johnson, Quirmbach, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *[SENATE FILE 177](#) (formerly [SF 15](#)), a bill for an act relating to the director of the Iowa law enforcement academy and the membership of the Iowa law enforcement academy council and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fraise, Hogg, Boettger, Dix, Dvorsky, Hancock, Horn, Jochum, Quirmbach, Soddors, Sorenson, Ward, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 177](#), and they were attached to the committee report.